

H. R. 764.

IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 12, 1849.

Read twice, engrossed, and ordered to be read a third time.

Mr. VINTON, from the Committee of Ways and Means, reported the following bill :

A BILL

To establish the Department of the Interior, and for other purposes.

1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the United States of America in Congress*
3 *assembled,* That from and after the passage of this act,
4 there shall be created a new executive department of the
5 government of the United States, to be called the Depart-
6 ment of the Interior ; the head of which department shall
7 be called the Secretary of the Interior, who shall be ap-
8 pointed by the President of the United States, by and with
9 the advice and consent of the Senate, and who shall hold
10 his office by the same tenure, and receive the same salary
11 as the secretaries of the other executive departments, and

12 who shall perform all the duties assigned to him by this
13 act.

1 SEC. 2. *And be it further enacted,* That the Secre-
2 tary of the Interior shall exercise and perform all the acts
3 of supervision and appeal in regard to the office of Com-
4 missioner of Patents, now exercised by the Secretary of
5 State; and the said Secretary of the Interior shall sign
6 all requisitions for the advance or payment of money out
7 of the treasury on estimates or accounts, subject to the
8 same adjustment or control now exercised on similar esti-
9 mates or accounts by the First or Fifth Auditor and First
10 Comptroller of the Treasury.

1 SEC. 3. *And be it further enacted,* That the Secre-
2 tary of the Interior shall perform all the duties in relation
3 to the General Land Office, of supervision and appeal,
4 now discharged by the Secretary of the Treasury; and
5 the said Secretary of the Interior shall sign all requisitions
6 for the advance or payment of money out of the treasury,
7 on estimates or accounts approved or certified by the
8 Commissioner of the General Land Office, subject to the
9 same control now exercised by the First Comptroller of
10 the Treasury.

1 SEC. 4. *And be it further enacted,* That the super-
2 visory power now exercised by the Secretary of the Trea-
3 sury over the accounts of the marshals, clerks, and other

4 officers of all the courts of the United States, shall be ex-
 5 ercised by the Secretary of the Interior; who shall sign
 6 all requisitions for the advance or payment of money out
 7 of the treasury, on estimates or accounts, subject to the
 8 same control now exercised on like estimates or accounts
 9 by the First Auditor and First Comptroller of the Trea-
 10 sury.

1 SEC. 5. *And be it further enacted*, That the Secre-
 2 tary of the Interior shall exercise the supervisory and ap-
 3 pellate powers now exercised by the Secretary of the War
 4 Department, in relation to all the acts of the Commissioner
 5 of Indian Affairs; and shall sign all requisitions for the
 6 advance or payment of money out of the treasury, on es-
 7 timates or accounts, subject to the same adjustment or
 8 control now exercised on similar estimates or accounts by
 9 the Second Auditor and Second Comptroller of the Trea-
 10 sury.

1 SEC. 6. *And be it further enacted*, That the Secre-
 2 tary of the Interior shall exercise the supervisory and ap-
 3 pellate powers now exercised by the Secretaries of the
 4 War and Navy Departments, in relation to all the acts
 5 of the Commissioner of Pensions; and shall sign all
 6 requisitions for the advance or payment of money out of
 7 the treasury, on estimates or accounts, subject to the same
 8 adjustment or control now exercised on similar estimates

9 or accounts by the Third or Fourth Auditors and Second
10 Comptroller of the Treasury.

1 SEC. 7. *And be it further enacted*, That the Secre-
2 tary of the Interior shall exercise all the supervisory and
3 appellate powers now exercised by the Secretary of State,
4 in relation to all acts of marshals and others in taking
5 and returning the census of the United States; and shall
6 sign all requisitions for the advance or payment of money
7 out of the treasury, on estimates or accounts, subject to the
8 same adjustment or control now exercised over similar es-
9 timates and accounts by the Fifth Auditor and First
10 Comptroller of the Treasury.

1 SEC. 8. *And be it further enacted*, That the super-
2 visory and appellate powers now exercised by the Secre-
3 tary of the Treasury over the lead and other mines of the
4 United States, and over the accounts of the agents thereof,
5 shall be exercised by the Secretary of the Interior; who
6 shall sign all requisitions for the advance or payment of
7 money out of the treasury on estimates or accounts,
8 subject to the same adjustment or control now exercised
9 on similar estimates or accounts by the Second Auditor
10 and Second Comptroller of the Treasury.

1 SEC. 9. *And be it further enacted*, That the super-
2 visory and appellate powers now exercised by the Presi-
3 dent of the United States over the Commissioner of

Public Buildings, shall be exercised by the Secretary of the Interior; who shall sign all requisitions for the advance or payment of money out of the treasury on estimates, or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the treasury: *Provided*, That nothing in this section contained shall be construed to take from the presiding officers of the two houses of Congress the power now possessed by them to make and enforce rules and regulations for the care, preservation, orderly keeping, and police of the capitol, and its appurtenances.

SEC. 10. *And be it further enacted*, That the Secretary of the Interior shall have and exercise a supervisory power and control over the Board of Inspectors and Warden of the Penitentiary of the District of Columbia; and shall sign all requisitions for the advance or payment of money out of the treasury on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the Treasury.

SEC. 11. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to appoint a chief clerk of his department, who shall receive a salary

4 of two thousand dollars per annum ; and that the Presi-
5 dent of the United States, on the recommendation of the
6 said Secretary of the Interior, may transfer from the Trea-
7 sury Department proper, to the Department of the Inte-
8 rior, such clerks in the office of the Secretary of the Trea-
9 sury as perform the duties over which the supervision and
10 control are given by this act to the Secretary of the Inte-
11 rior, which said clerks shall be hereafter subject to the
12 appointing and removing power of the Secretary of the
13 Interior, as also the clerks in the several bureaus hereto-
14 fore appointed, or removable by the heads of departments,
15 which bureaus are transferred by this act to the Depart-
16 ment of the Interior.

1 **SEC. 12.** *And be it further enacted,* That an officer
2 shall be appointed by the President of the United States,
3 by and with the advice and consent of the Senate, in the
4 Department of the Treasury, as one of its bureaus, to be
5 called the Commissioner of Customs, who shall perform
6 all the acts, and exercise all the powers now devolved by
7 law on the First Comptroller of the Treasury, relating
8 to the receipts from customs and the accounts of collectors
9 and other officers of the customs or connected therewith,
10 who shall hold his office by the same tenure, and receive
11 the same amount of salary as the First Auditor of the
12 Treasury, and payable in the same manner. And the

13 Secretary of the Treasury shall transfer from the office of
 14 the First Comptroller such clerks as may be necessary to
 15 the bureau of the Commissioner of Customs, for whom
 16 the said Secretary of the Treasury shall also appoint one
 17 chief clerk, at a salary of seventeen hundred dollars per
 18 annum.

1 SEC. 13. *And be it further enacted*, That an officer
 2 shall be appointed in the Treasury Department by the
 3 Secretary of the Treasury, to be called the Assistant
 4 Secretary of the Treasury, whose salary shall be
 5 three thousand dollars per annum, payable in the same
 6 manner as that of the Secretary of the Treasury, who
 7 shall examine all letters, contracts and warrants, prepared
 8 for the signature of the Secretary of the Treasury, and
 9 who shall perform all such other duties in the office of the
 10 Secretary of the Treasury, now performed by some of his
 11 clerks, as may be devolved on him by the Secretary of the
 12 Treasury, who shall also appoint a clerk at a salary of
 13 seventeen hundred dollars per annum, who shall perform
 14 such duties as a clerk in the Treasury Department, in aid
 15 of said Assistant Secretary, as may be assigned to him by
 16 the Secretary of the Treasury.

1 SEC. 14. *And be it further enacted*, That the Secre-
 2 tary of the Treasury shall transfer from the office of the
 3 First Comptroller one of his messengers to perform the

4 same duties in the office of the Commissioner of Customs,
 5 as also such portion of the contingent fund of the office of
 6 the First Comptroller as may be required in that of the
 7 Commissioner of Customs, in consequence of the transfer of
 8 clerks from one office to another, or the transfer of a mes-
 9 senger from that office to another. And the Secretary of
 10 the Treasury shall transfer one of his messengers to the
 11 office of the Secretary of the Interior, as also such por-
 12 tion of the contingent fund of the office of the Secretary
 13 of the Treasury as may be required in the office of the
 14 Secretary of the Interior, in consequence of the transfer
 15 of clerks from one department to the other.

1 SEC. 15. *And be it further enacted*, That nothing in
 2 this act contained shall be so construed as to effect or im-
 3 pair any of the powers conferred, or duties devolved, on
 4 the Secretary of the Treasury, in relation to the transfer,
 5 safe-keeping, or disbursement of public monies, by the act
 6 of the sixth of August, one thousand eight hundred and
 7 forty-six, entitled "An act to provide for the better organi-
 8 zation of the treasury, and for the collection, safe-keeping,
 9 transfer, and disbursement of the public revenue."

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IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 12, 1849.

Mr. WHITE, from the Committee on Agriculture, by unanimous consent, gave notice of the following amendment, which he would, at the proper time, propose to the bill H. R. 764, which was ordered to be printed.

AMENDMENT.

A BILL to establish an additional department to be called the Home Department.

1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the United States of America in Congress*
3 *assembled,* That, in addition to the executive departments
4 heretofore created by law, there shall be a department, to
5 be styled the Home Department, in which shall be the fol-
6 lowing officers, namely: a Secretary, to be deemed the
7 head of the department; an Assistant Secretary, a Commis-
8 sioner of Pensions, a Commissioner of Patents, a Commis-
9 sioner of the General Land Office, and a Commissioner of
10 Indian Affairs, all of whom shall be appointed by the Pre-
11 sident of the United States, by and with the advice and
12 consent of the Senate.

1 SEC. 2. *And be it further enacted,* That the Home

2 Department shall have the care, custody, and conduct of
 3 all affairs relating to pensions, patents, public lands, In-
 4 dian affairs, and the census; and that all such affairs be
 5 transferred from the departments to which they now re-
 6 spectively belong, under existing laws, to said Home De-
 7 partment.

1 **SEC. 3.** *And be it further enacted,* That the Home
 2 Department shall have the supervision of the expenses of
 3 courts, and shall audit all accounts relating to the admin-
 4 istration of justice.

1 **SEC. 4.** *And be it further enacted,* That the Secre-
 2 tary of the Home Department shall conduct such corres-
 3 pondence at home and abroad as he shall deem adapted
 4 to promote the progress of agriculture; and it shall be his
 5 duty to obtain and publish the statistics of agriculture in
 6 the several States and in foreign nations, as far as
 7 practicable, and by such means as he may deem most ex-
 8 pedient.

1 **SEC. 5.** *And be it further enacted,* That there shall
 2 be allowed and paid to the said secretary, a salary of six
 3 thousand dollars per annum; to the assistant secretary,
 4 three thousand dollars per annum; and to the several
 5 Commissioners of Pensions, Patents, Public Lands, and
 6 Indian Affairs, the same compensation now allowed by
 7 law.

1 SEC. 6. *And be it further enacted,* That the Secre-
2 tary of the Home Department is hereby authorized to
3 employ in the several offices and bureaus hereby transfer-
4 red to said department, the same number of clerks and
5 other officers now authorized by law; and he may also
6 employ such number of clerks, not exceeding five, as he
7 may deem necessary, to carry the provisions of this act
8 into effect.

1 SEC. 7. *And be it further enacted,* That the sum of
2 twenty thousand dollars, or so much thereof as may be
3 required, be, and the same is hereby, appropriated out of
4 any money in the treasury not otherwise appropriated, to
5 execute the provisions of this act.